

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

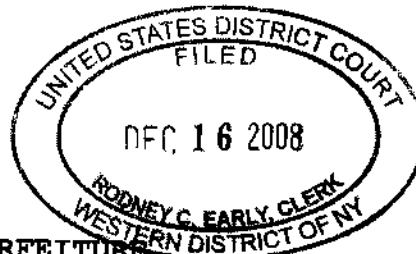
UNITED STATES OF AMERICA

-v-

KEVIN DANGERFIELD,

Defendant.

08-CR-6207L



PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on October 6, 2008, the defendant, KEVIN DANGERFIELD, pled guilty to Counts I and II of Information 08-CR-6207L that charged him with violations of Title 21, United States Code Section 841(a)(1) (possession with intent to distribute 5 grams or more of cocaine base), and Title 18, United States Code, Section 924(c)(1) (possession of a firearm in furtherance of a drug trafficking crime), and,

WHEREAS, from the defendant's conviction on Count I, and from his admission to the forfeiture allegation contained in the information, the government has established the requisite nexus between the property and the offense committed by the defendant and therefore the following property is subject to forfeiture:

1. The sum of \$3,328.00 in United States Currency which was seized on or about September 18, 2008.

NOW THEREFORE, pursuant to Federal Rules of Criminal Procedure Rule 32.2 (b)(2) and Title 21, United States Code, Section 853 (a)(1), it is hereby;

ORDERED, ADJUDGED, and DECREED that pursuant to Title 21, United States Code, Section 853(c) and (e) through (p), the above listed property and/or any interest therein is hereby condemned and forfeited to the United States of America and shall be disposed of according to law; and it is further

ORDERED, ADJUDGED, and DECREED that this order shall serve as a judgment in favor of the United States of America regarding any and all of the defendant's right, title, and interest in the above described property. The property is hereby condemned and forfeited to the United States of America and shall be disposed of according to law, and the United States of America shall seize the aforementioned property, to protect the interests of the Government in the property ordered forfeited by providing a copy of this Order to any person or entity which has possession of, or jurisdiction over the forfeited interests, and by taking all steps necessary and appropriate to protect the interests of the United States of America, including the taking of actual possession of the property; and it is further

ORDERED, ADJUDGED and DECREED that pursuant to Title 21, United States Code, Section 853(h), following the seizure of the property ordered forfeited, the Attorney General shall direct the

disposition of the property, making due provision for the rights of any innocent persons; and it is further

ORDERED, ADJUDGED, and DECREED that pursuant to Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of the properties in such manner as the Attorney General may direct, and provide notice that any person, other than the defendant, having or claiming a legal interest in the above forfeited property must file a petition with the court within thirty (30) days of the final publication of notice, or of receipt of actual notice, whichever is earlier.

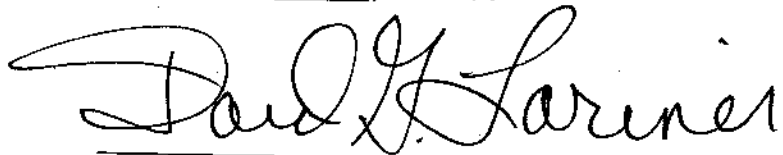
This notice shall state that the petition shall be for request of a hearing to adjudicate the validity of the petitioner's alleged interest in the properties, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties, and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in any of the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified, and it is further,

ORDERED, ADJUDGED, AND DECREED, that in the event that a Final Order of Forfeiture is issued concerning the subject property, the United States Marshals Service shall dispose of the property or interests according to law. The United States Marshals Service shall be reimbursed for all costs incurred arising from the seizure and custody of said property. All remaining funds shall be deposited with United States Department of Justice Asset Forfeiture Fund; and it is further,

ORDERED, ADJUDGED, AND DECREED, that upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853.

Dated: Rochester, New York, December 15, 2008.

A handwritten signature in cursive script, reading "David G. Larimer". The signature is written in dark ink and is positioned above the printed name and title.

HONORABLE DAVID G. LARIMER
United States District Judge